



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of : Attny. Docket No.: ERC-DATA  
Applicant: Peter L. CLARKE et al. :  
Application No.: 09/711,279 : GAU 3622 Conf. No. 6853  
Filed: November 10, 2000 : Examiner: Raquel ALVAREZ  
For: "EMPLOYMENT SOURCING SYSTEM" :  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

DECLARATION  
UNDER 37 CFR § 1.131 OVERCOMING A REFERENCE

I, Paul Rathblott do hereby declare that:

1. I am an inventor of the above-identified patent application.
2. I make this declaration in order to overcome any possible ground for rejection on the basis of United States Patent No. 6,618,734, to Williams et al., having a filing date of July 20, 2000, which date is prior to the filing of the above-identified application, but which is subsequent to the date on which I invented the subject matter disclosed and claimed in the above-identified patent application as filed.
3. As evidence of my prior invention, I note that a draft patent application which was transmitted by facsimile phone to me on July 11, 2000 discloses our claimed invention. Copies of the draft patent application, facsimile cover sheet and machine-generated facsimile transmission confirmation accompany this declaration and are marked "Exhibit A".

4. The act or acts relied upon to establish my invention date prior to the reference were carried out in a WTO member country or countries.

5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or of any patent issuing thereon.

Respectfully submitted,

By:

  
Paul Rathblott

Dated:

November 30, 2006

Submitted by:

Roger Pitt

Reg. No. 46,996

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(212) 536-3900

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed Commissioner for Patents P.O. Box 1450 Alexandria, VA

22131-7458 on

December 6, 2006

  
Roger Pitt

Reg. No. 46,996

HANDAL & MOROFSKY  
Counsellors At Law  
80 Washington Street  
Norwalk, CT 06854

FACSIMILE COVER SHEET

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TO FAX NO: 846-4007

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME: Mr. Paul Rathblott

RE: Employment Sourcing System

FROM:

NAME: ANTHONY H. HANDAL

FAX NO.: (203) 838 - 8794

DATE TRANSMITTED: July 11, 2000 TIME: \_\_\_\_

YOU WILL RECEIVE 27 PAGES OF COPY-INCLUDING THIS COVER LETTER  
IF YOU DO NOT RECEIVE 27 PAGES, PLEASE CALL (203) 838-8589  
AS SOON AS POSSIBLE.

COMMENTS:

We are sending you a draft patent application directed to the above invention. Please note the bolded question on line 18 of page 10. Also, we did not receive detailed task information for every aspect of the administration system. Please feel free to provide supplementary material to expand upon any of the disclosed subject matter.

Naturally, if you have any questions, please do not hesitate to contact this office.

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-HANDAL & MOROFSKY -

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